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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

Region III
841 Chestnut Building
Philadelphia, Pennsylvania 19107

SEP 27 1994

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alpine Equipment Corporation
P.O. Box 767
State College, PA 16804

Attention: Wilhelm J. Kogelmann, President

Re: Centre County Kepone Superfund Site, State College, PA

Dear Mr. Kogelmann:

The U.S. Environmental Protection Agency (EPA) is continuing its investigation into the source, extent and nature of the release or threatened release of hazardous substances, pollutants or contaminants into the environment at the Centre County Kepone Superfund Site (Site). This involves, among other things, a need to investigate the waste disposal practices of Alpine Equipment Corporation since a high concentration of total volatile organic compounds was found at a monitoring well downgradient of the 4.2 acre parcel where the corporation manufactured mining equipment from January 26, 1979 through December 9, 1983. Therefore, pursuant to the authority of Section 104(e) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"), 42 U.S.C. Section 9604(e), your company is required to furnish all information and documents in its possession, custody or control, or in the possession, custody or control of any of its employees or agents which concern, refer, or relate to hazardous substances as defined by Section 101(14) of CERCLA, 42 U.S.C. Section 9601(14), pollutants and/or contaminants as defined by Section 101(33), 42 U.S.C. Section 9601(33), which were transported to, stored, treated, or disposed of at the above reference facility or the surrounding area.

Section 104 of CERCLA, 42 U.S.C. Section 9604, authorizes EPA to pursue penalties for failure to comply with that section or for failure to respond adequately to required submissions of information. In addition, providing false, fictitious, or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. Section 1001. The information you provide may be used by EPA in administrative, civil, or criminal proceedings.

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As used in this letter, the term "documents" means: writings (handwritten, typed or otherwise produced or reproduced) and includes, but is not limited to, any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, policies of insurance, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or daily entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigation, schedules, price lists, telegrams, teletypes, phono-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, discs, computer printouts, or other data compilations from which information can be obtained or translated.

Based on the information you provided to EPA in your April 25, 1994 letter and the April 21, 1994 letter (copy enclosed) from Phil Specht, Treasurer of Excavation and Tunneling Equipment Corporation, you are requested to address in full each of the following items and furnish all documents relating to the information requested:

1. Describe all activities/operations that were conducted at the 4.2 acre portion of the Site by Alpine Equipment Corporation. Also address the same question for Excavation and Tunneling Equipment Corporation during the time you were president of this corporation. For each and every activity/operation, this description should include:

- a. type of activity/operation conducted;
- b. start and end dates involved;
- c. occupant's knowledge of the hazardous substances present at the Site;
- d. condition of the 4.2 acre parcel prior to occupancy;
- e. any and all changes made to the 4.2 acre parcel as a result of the activity/operation conducted;
- f. precautions taken to prevent any contamination that could be initiated by changes made to the parcel.

2. Identify the types and annual quantities of wastes generated by the activities/operations conducted at the parcel.

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3. For each of the wastes described in response to question #2 above, provide the method of treatment and/or disposal used. For those wastes treated and/or disposed of offsite, provide the names and addresses of the transporters and treatment/disposal facilities used. For those wastes treated and/or disposed of onsite, describe any permitting or other Federal, State or local approval process which allowed the performance of the treatment and disposal.

4. Describe the assets of Alpine Equipment Corporation that were purchased by Excavation and Tunneling Equipment Corporation and whether assumption of liability was part of the purchase agreement.

5. Explain the corporate relationship between AEC, Inc. and Alpine Equipment Corporation and your involvement with both of these entities.

6. Provide any additional information on the actions taken by either corporation regarding the 4.2 acre parcel.

You are entitled to assert a claim of business confidentiality covering all or any part of the submitted information, in the manner described in 40 C.F.R. Section 2.203(b). Please note the limitations on the types of information that can properly be claimed as confidential under CERCLA, which are specified in section 104(e)(7) of CERCLA, 42 U.S.C. § 9604(e)(7). Information subject to a claim of business confidentiality will be made available to the public only in accordance with the procedures set forth in 40 C.F.R. Part 2, Subpart B. If a claim of business confidentiality is not asserted at the time the required information is submitted to EPA, EPA may make this information available to the public without further notice to you.

EPA may contract with one or more of the following independent contracting firms to review the documentation, including documents which you claim are confidential business information ("CBI") which you submit in response to this information request, depending on available agency resources. The contractor will be filing, organizing, analyzing and/or summarizing the information for agency personnel. EPA's contractors are: CDM-Federal Programs Corporation, Dynamac Corporation, CH2MHill, Black & Veatch Waste Science and Technology Corporation, TetraTech, Inc., Ecology & Environment, Inc., Halliburton NUS Corporation (formerly known as Halliburton NUS Environmental Corporation), Environmental Technology, Inc., and Roy F. Weston, Inc. operating under contract numbers 68-W9-0004, 68-W9-0005, 68-W8-0090, 68-W8-0091, 68-W8-0092, 68-W8-0085, 68-W8-0037, 68-S2-3002, and 68-W0-0036, respectively. These contractors have signed a contract with EPA that contains a

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confidentiality clause with respect to CBI that they handle for EPA. Section 104 of CERCLA, and EPA's regulations at 40 C.F.R. § 2.310 provide that EPA may share such CBI with contractors. If you have any objection to disclosure by EPA of documents which you claim are CBI to any or all of these entities, you must notify EPA at the address listed below at the time you submit such documents.

EPA requires that your company respond in writing, to the address specified below, within **20 calendar days** of your receipt of this letter. **The response must be signed by an appropriately authorized company official.** If, for any reason, you do not provide all information responsive to this letter, in your answer to EPA you must: (1) describe specifically what was not provided, (2) supply to EPA a clear identification of the document(s) not provided, and (3) provide to EPA an appropriate reason why the document(s) was not provided.

All documents and information should be sent to:

Mary Anne Daly
U.S. Environmental Protection Agency
PRP Search Section (3HW11)
841 Chestnut Building
Philadelphia, Pennsylvania 19107

This required submission of information is not subject to the approval requirements under the Paperwork Reduction Act of 1980, 44 U.S.C. Section 3501, et seq.

If you have any questions concerning this matter, please contact Ms. Daly at (215) 597-8981 or Mr. Frank Klanchar (215) 597-8186. Legal questions may be referred to Ms. Pamela Lazos at (215) 597-8504.

Sincerely,



Larry S. Miller, Chief
PRP Search Section

Enclosure

cc: Frank Klanchar (3HW24)
Pamela Lazos (3RC22)
Don Becker, PADER

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CERTIFIED # P 353 931 523

April 21, 1994

EXCAVATION AND TUNNELING
EQUIPMENT CORPORATION
P.O. BOX 2000
PITTSBURGH, PA 15230

Ms. Mary Anne Daly
U.S. Environmental Protection Agency
PRP Search Section (3HW11)
841 Chestnut Building
Philadelphia, Pa 19107

RE: Center County Kepone Superfund Site, State College, PA.
U.S. Environmental Protection Agency April 5, 1994
Correspondence

Dear Ms. Daly:

As per our recent telephone discussion, the purpose of this letter is to respond to your agency's April 5, 1994 correspondence, and provide some background information on Excavation and Tunneling Equipment Corporation (ETE). Please keep in mind, that although I am currently the Treasurer of ETE, my appointment to that position occurred after operations were discontinued. The information provided in this letter is based on my review of the corporate records, as well as, my recollection of visits (two) to the Struble Road facility. At the time of the formation of ETE, I was Controller of Eickhoff Corporation. ETE and Eickhoff Corporation share the same parent company (Gebr. Eickhoff Maschinenfabrik u. Eisengiesserei mbH). The main purpose of my visits to the ETE facility was to assist in the development of accounting controls and procedures.

ETE was incorporated in the State of Delaware on April 11, 1983. The purpose of the company was to engineer, manufacture and service excavation and tunneling equipment. In November of 1983, ETE purchased the Struble Road facility, as well as the majority of its contents, from A.E.C. Incorporated. The former president of A.E.C. (Mr. Wilhelm J. Kogelmann) was named president of ETE. For various reasons, the company never achieved the objectives or results anticipated. In July of 1986, the operations of the company were discontinued. After discontinuance of the operations, a lawsuit was filed by Mr. Kogelmann claiming, among other matters, breach of contract. A counter lawsuit was filed against Mr. Kogelmann. In late 1993, application was made to the State of Delaware to dissolve ETE.

All remaining corporate records including minutes, tax returns, invoices and checks are currently stored at Eickhoff Corporation's corporate offices. Throughout the existence of ETE an accounting firm located in State College, PA (Shinham, Leoniak

& Company) was involved in the preparation of financial statements and tax returns. They were also involved in handling the majority of the accounting functions of ETE. Therefore, it is possible that some records may exist at the offices of the accounting firm.

Since I was not directly involved in the day to day operations of ETE, it is impossible for me to provide the requested information regarding the activities that occurred at the Struble Road location. However, since Eickhoff Corporation services and sells a similar type of equipment (longwall coal mining machinery), it is possible to formulate some assumptions regarding the potential hazardous substances that might have been utilized by ETE. With disassembly of heavy machinery, the initial concern is the proper disposal of any coolants or lubricants in the equipment. After disassembly, the concern shifts to any cleaning agents or solvents used to remove grease or other residue. During reassembly of the equipment, fresh coolants, sealing compounds, lubricants and paint products are necessary to complete the overhaul process. Therefore, based on ETE's product line, it would appear that any hazardous substances utilized would be limited to these areas.

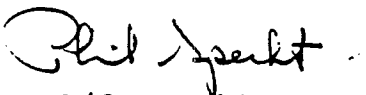
Although the above mentioned potentially hazardous substances could have been utilized by ETE, I do not recall any significant degree of operations at the Struble Road facility. I believe that their operations were primary of a sales and engineering nature. This assumption is somewhat supported by the limited active life of the organization. In order to obtain a more accurate description of the operations of ETE, I would recommend that you contact its former president (Mr. Kogelmann). In light of the legal difficulties that developed between Mr. Kogelmann and our Parent company, my attempts to contact him directly would most likely be counter productive.

If you have any questions, you may contact me at the following address.

Eickhoff Corporation
PO Box 2000
Pittsburgh, Pa 15230
(412) 788-1400
FAX (412) 788-4100

Regards,

EXCAVATION AND TUNNELING EQUIPMENT CORPORATION


Phil Specht
Treasurer

PS:je